

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	BLANCHE M. MANNING	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 198	DATE	May 20, 2008
CASE TITLE	Dawayne Tolliver (#2007-0072569) v. J. Pentimone, et al.		

DOCKET ENTRY TEXT:

The Court construes Plaintiff's letter [6], received 4/24/08, as a motion to alter or amend judgment pursuant to Fed.R.Civ.P. 59(e) and holds it in abeyance. Plaintiff is given 30 days from the date of this order either to file an *in forma pauperis* application on the enclosed form with the information required by § 1915(a)(2) or to pay the full \$350 filing fee. The Clerk is directed to send Plaintiff an *in forma pauperis* application along with a copy of this order.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

On April 16, 2008, the Court dismissed this action because Plaintiff had failed either to file an *in forma pauperis* application with the information required by § 1915(a)(2) or to pay the full \$350 filing fee as directed in the Court's order of February 20, 2008. Plaintiff wrote a letter on the dismissal order, which was received on April 24, 2008 (i.e., within ten days of the Court's dismissal order), claiming that he never received the Court's February 20 order. Plaintiff also submitted an amended complaint on April 29, 2008.

The Court accordingly construes Plaintiff's letter as a motion to alter or amend judgment pursuant to Fed.R.Civ.P. 59(e) and holds it in abeyance. Plaintiff is given 30 days from the date of this order either to file an *in forma pauperis* application on the enclosed form with the information required by § 1915(a)(2) or to pay the full \$350 filing fee.

Failure to comply with this order will result in the motion to alter or amend judgment being denied and the amended complaint being stricken.

Courtroom Deputy
Initials:

CLH